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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/790,029	03/02/2004	Michiyasu Nosaka	12-040	9735

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EXAMINER

DUNWOODY, AARON M

ART UNIT	PAPER NUMBER
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3679

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/790,029

Applicant(s)

NOSAKA ET AL.

Examiner

Aaron M Dunwoody

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 4 is/are rejected.
- 7) ☒ Claim(s) 3 and 5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/2/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 3679

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

The information disclosure statement (IDS) filed 3/2/2004 is being considered by the examiner.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 11b. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "1a" has been used to designate both a front housing and

Art Unit: 3679

an electronic controller; and reference character "1b" has been used to designate both a shaft and a control valve. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informalities:

The disclosure recites, "a control valve 1b" and "a shaft 1b"; however, both statements cannot be correct.

The disclosure recites, "an electronic controller 1a" and "a front housing 1a"; however, both statements cannot be correct.

Appropriate correction is required.

The abstract of the disclosure is objected to because all reference numerals should be embraced by parentheses. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1, 2 and 4 are rejected under 35 U.S.C. 102(a) as being anticipated by US patent application publication US 2002/0198056 A1, Tabuchi et al.

In regards to claim 1, Tabuchi et al disclose, in claims 1-18, a torque transmission device comprising an input section for receiving a torque from a driving machine, an output section coupled to the driven machine and a bridge section for coupling the input section to the output section to transmit the torque from the input section to the output section; the bridge section being broken when the torque to be transmitted exceeds a predetermined value to interrupt the torque transmission, wherein retaining means, in case of the breakage of the bridge section, fixed to one of the input section and the output section is provided for coupling the input section with the output section by the engagement with the other when the bridge section is broken.

In regards to claim 2, Tabuchi et al disclose, in claims 1-18, the output section being fixed to a rotary part of the driven machine to be integral therewith, the input section being intermeshed with a drive side rotary part rotating by receiving the torque from the driving machine and is made to rotate together with the drive side rotary part, which intermeshed state is retained by a retaining force generated because the output section is formed integral with the rotary part, and the retaining means, in case of the

Art Unit: 3679

breakage of the bridge section, is fixed with the input section side and engaged with the output section side when the bridge section is broken.

In regards to claim 4, Tabuchi et al disclose, in claims 1-18, a torque transmission device comprising an input section for receiving a torque from a driving machine, an output section coupled to the driven machine and a bridge section for coupling the input section to the output section to transmit the torque from the input section to the output section; the bridge section being broken when the torque to be transmitted exceeds a predetermined value to interrupt the torque transmission, wherein retaining means in case of the breakage of the bridge section is provided for coupling the input section with the output section without contributing to the torque transmission between the input section and the output section.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2 and 4 are rejected under 35 U.S.C. 102(a) as being clearly anticipated by US patent 6332842, Tabuchi et al.

In regards to claim 1, Tabuchi et al disclose, a torque transmission device comprising an input section for receiving a torque from a driving machine, an output section coupled to the driven machine and a bridge section for coupling the input section to the output section to transmit the torque from the input section to the output section; the bridge section being broken when the torque to be transmitted exceeds a predetermined value to interrupt the torque transmission, wherein retaining means, in case of the breakage of the bridge section, fixed to one of the input section and the

Art Unit: 3679

output section is provided for coupling the input section with the output section by the engagement with the other when the bridge section is broken.

In regards to claim 2, Tabuchi et al disclose, the output section being fixed to a rotary part of the driven machine to be integral therewith, the input section being intermeshed with a drive side rotary part rotating by receiving the torque from the driving machine and is made to rotate together with the drive side rotary part, which intermeshed state is retained by a retaining force generated because the output section is formed integral with the rotary part, and the retaining means, in case of the breakage of the bridge section, is fixed with the input section side and engaged with the output section side when the bridge section is broken.

In regards to claim 4, Tabuchi et al disclose, a torque transmission device comprising an input section for receiving a torque from a driving machine, an output section coupled to the driven machine and a bridge section for coupling the input section to the output section to transmit the torque from the input section to the output section; the bridge section being broken when the torque to be transmitted exceeds a predetermined value to interrupt the torque transmission, wherein retaining means in case of the breakage of the bridge section is provided for coupling the input section with the output section without contributing to the torque transmission between the input section and the output section.

Art Unit: 3679

Allowable Subject Matter

Claims 3 and 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure because it illustrates the inventive concept of the invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron M Dunwoody whose telephone number is 703-306-3436. The examiner can normally be reached on 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P Stodola can be reached on 703-306-5771. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Aaron M Dunwoody
Examiner
Art Unit 3679

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